

# **CONSTITUTION & BYLAWS OF UNIFOR LOCAL 191**

## **ARTICLE I – NAME**

This local shall be known as Unifor Local 191.

## **ARTICLE II – JURISDICTION**

Jurisdiction of this Local shall be the jurisdiction in the Province of Manitoba and any other as assigned by the Union and appearing on the face of the Local Charter.

## **ARTICLE III – OBJECTIVES**

The objectives of the Local Union include:

- a. The regulation of labour relations and collective bargaining between employers and employees;
- b. The representation and service of workers within its jurisdiction in accordance with the Constitution and Bylaws of the Local and the Constitution and policies of the Union.

## **ARTICLE IV – CONSTITUTION AND BYLAWS**

The Constitution of this Local Union shall be the Constitution of the National Union, Unifor, and these Bylaws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof.

## **ARTICLE V – LOCAL STRUCTURE**

The structure of the Local shall consist of the following:

- (1) Membership
- (2) Executive Board
- (3) Officers
- (4) Committees

## **ARTICLE VI – MEMBERSHIP**

### Section 1 – Eligibility

- A. The Local Union shall be composed of workers eligible for membership in Unifor, over whom the Local Union has jurisdiction.
- B. Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union in a responsible manner consistent with good conscience in order to present and discuss factually and honestly the issues upon which the membership must base its decisions. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the Constitution, Bylaws and other official rules of the Local Union.

A member in exercising the foregoing rights and privileges shall not take any irresponsible action which would tend to jeopardize or destroy, or be detrimental to, either the Local or National Union as organizations, or their free democratic heritage, or which would interfere with the performance by this Local Union or the National Union of its legal or contractual obligations as a collective bargaining agent, or interfere with the legal or contractual obligations of this Local Union as an affiliate of the National Union.

Violation, or abuse of these rights and privileges of membership, or engaging in conduct prohibited by this section, may be grounds for the commencement of a charge against a member pursuant to Article 18 of the National Union Constitution.

- C. The membership shall strive to obtain the objectives set forth in the Constitution and additional objectives as established as the policy of the National Union; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labour movement; to co-operate with National Board Members, the National Representatives and help promote organizational activities.
- D. The Local Union may establish a Community Chapter with rights for full participation in the activities of the Local Union. Members of a duly constituted Community Chapter shall have right to voice and/or vote in Union affairs and structures and to services from the Local Union as determined by the Executive Board with the approval of the membership.
- E. Active members and associate members of the Local are defined by the relevant provisions in the Unifor Constitution.
- F. Associate members shall have full voice at regularly constituted general meetings of the Local. Associate members may vote on all Local matters except for election of officers and executive board, on collective agreements, strike votes, and Local finances. Associate members cannot stand or hold office with the Local or national union, nor can they represent Unifor in any official capacity, whether at conventions, conferences, or otherwise, without the express consent of Unifor.
- G. Active members that are on sick leave, leave of absence, or temporary layoff shall retain full rights under the constitution.

#### Section 2 – Application

Membership in the Local shall be obtained upon the approval of any membership committee authorized to accept or reject membership on behalf of the Local, subject to the right of the Local to overrule the decision of a membership committee.

#### Section 3 – Transfers

The transfer of membership from this Local to the jurisdiction of another Local and from another Local to the jurisdiction of this Local shall be made in accordance with Article 5 of the Union Constitution.

### **ARTICLE VII – LOCAL DUES AND ASSESSMENTS**

#### Section 1 – Local Dues

- A. Each member of the Local shall pay minimum membership dues as set by the Unifor Convention or the National Executive Board in accordance with Convention action.
- B. Local membership dues shall be one percent (1%) of gross earnings plus one dollar (\$1.00) per month, in addition the Local shall collect the national dues on all gross earnings and shall remit the national dues as set forth in the national constitution.

C. Active members who are sick, temporarily laid off or on leave of absence with no earnings shall pay Local dues of two dollars (\$2.00) per month. Associate members shall pay dues of two dollars (\$2.00) per month.

D. Membership dues may be changed only by a majority of those voting on the question by secret ballot referendum, or by a majority secret ballot vote in a meeting where a quorum is present, if the question has been advertised on bulletin boards at least seven (7) days in advance of the meeting or by notice mailed postage prepaid to each member at least seven (7) days in advance of the meeting.

#### Section 2 – Local Special Assessments

The membership of this Local may levy a special assessment only in the same manner as provided for changing Local dues. However, any special assessments levied shall be in compliance with the Union Constitution.

#### Section 3 – Fines

Members are suspended from the Union and Local when their dues fall in arrears by 90 days. Suspended members seeking reinstatement must pay back all past dues plus a fine of one (1) month's dues.

### **ARTICLE VIII – GOVERNING AUTHORITY**

The affairs of this Local shall be governed by its membership in accordance with the Constitution and policies of the Union in the following manner:

- a. The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the Constitution or Bylaws.
- b. Between membership meetings, the Executive Board shall be the highest authority of the Local Union and shall be empowered to act on behalf of the membership to the extent business requires prompt and decisive action, subject to subsequent membership approval, but the Executive Board may not take action affecting the vital interest of the Local Union without prior membership approval.
- c. Between meetings of the Executive Board, the President shall exercise general administrative authority and shall be empowered to act on behalf of, and take action permitted by, the Executive Board subject to subsequent approval of the Executive Board.

### **ARTICLE IX – LOCAL MEETINGS**

- A. A minimum of four general membership meetings shall be held each year. One of the four meetings shall be held in May and one shall be held in September. Other membership meetings shall be held at such time and place as the members may determine by vote.
- B. Special meetings may be called by a majority vote of the Local Executive Board, or by a petition signed by 25 members. Upon receipt of a proper petition, the Local Officers shall call a special meeting for the purpose set forth in the petition to be held within ten (10) days.
- C. Membership meetings and any other business of the Local shall be conducted under the bylaws and rules of the Local and in conformity with the National Union Constitution. On questions where the Local bylaws, the Local rules or Union Constitution do not clearly apply, Bourinot's Rules of Order shall govern.
- D. The number constituting a quorum for Local meetings shall be twenty (20) members in good standing.

- E. Any member who attends a meeting under the influence of alcohol or drugs and/or creates a disturbance, or becomes unruly shall lose voice and his/her right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming a union member.
- F. For clarity and information of the members, questions of a parliamentary nature shall be decided by Bourinot's Rules of Order.
- G. A majority of the members of the Executive Board and a majority of members of a committee shall constitute a quorum for these bodies.

#### **ARTICLE X – DELEGATES TO THE UNIFOR CONVENTION & OTHER MEETINGS**

- A. Election of delegates and alternates to the Unifor Convention and to the Unifor Media Council shall be conducted by secret ballot at a general membership meeting according to procedures set out by the Unifor Constitution. Delegates shall nominate one of their group to furnish a written report on the Convention or Media Council meeting within one month of the respective meeting's adjournment.
- B. Delegates and alternates to Unifor regional conferences, district labour councils, the Unifor Manitoba Area Council, the Canadian Labour Congress, the Manitoba Federation of Labour and other meetings shall be elected or appointed as the Local shall direct. Reports on these meetings shall be made at regular meetings of the Local.
- C. Delegates attending Unifor Conventions and Conferences and other meetings shall be allowed return fare by the shortest possible route, overnight accommodation, and other reasonable expenses. The per diem shall not exceed that set by Unifor. Delegates shall also be compensated for lost wages.

#### **ARTICLE XI – LOCAL COMMITTEES**

- A. The Local shall have the following committees:
  - 1. Finance Committee
  - 2. Constitution Committee
  - 3. Organizing Committee
  - 4. Nominating Committee
  - 5. Health & Safety
  - 6. Human Rights
  - 7. Women
  - 8. LGBT
  - 9. Workers of Colour
  - 10. and other committees as directed by the membership.
- B. Members of all committees, except as set out in Article XIII shall be appointed by a majority vote of the Local Executive Board, subject to the right of the Local membership to overrule such appointments.
- C. Length of term of office shall be two years. Vacancies on committees shall be filled in the same manner as the original appointments or elections. Any members of any Local committee may be removed by majority vote of the Local Executive Board, subject to the right of the Local to

overrule the action of the Executive Board. A committee member may be removed by action of the Local in a membership meeting.

D. Duties of Committees:

1. Finance Committee – The Finance Committee shall examine all expenditures of the Local Union once a month and report to the Executive Board. Committee members are also required to attend the Unifor Financial Officers Course.
2. Constitution Committee – The Constitution Committee shall draft, as required, changes to the Local Constitution, subject to the approval of the Executive Board and the membership.
3. Organizing Committee – The Organizing Committee shall assist the Local officers and members in organizing all non-union employees within the Local’s jurisdiction as well as unorganized workers in external units.
4. Nomination Committee – See Article XIII.

E. Committee members shall receive a per diem of \$20 per meeting for attending meetings called by the Chairperson.

**ARTICLE XII – ORDER OF BUSINESS**

A. The order of business at a Local meeting shall be as follows:

1. Call to order.
2. Roll Call (optional).
3. Reading and action on minutes of previous meeting,
4. Reports of Local Representative, Officers and Executive Board.
5. Reports of Committees.
6. Unfinished business.
7. New business.
8. Next meeting.
9. Adjournment.

B. The order of business may be suspended by a two-thirds (2/3) vote of the members present.

**ARTICLE XIII – LOCAL OFFICERS, EXECUTIVE BOARD, CHAPEL CHAIRPERSONS, AND THEIR DUTIES**

Section 1 – Local Officers

A. The Officers of the Local shall be:

1. Local President
2. Local 1st Vice-President
3. Local 2nd Vice-President
4. Local Secretary-Treasurer
5. Local Assistant Secretary-Treasurer

B. The Local executive board shall consist of five (5) Local officers and sixteen (16) Local executive board members.

The twenty-one (21) member executive board shall consist of:

- a) The Winnipeg Newspaper Council – Consisting of members covered under The Winnipeg Free Press Inside Workers Contract, WFP Pressroom contract, and The Winnipeg Free Press Carrier

Contract, The Winnipeg Sun Editorial, Advertising, Web, Sheetfed, Pre-Press and Mailroom/Bindery Departments.

- b) The Rural Manitoba Newspaper Council– Consisting of Brandon Sun and any other rural papers organized by the Local.
- c) The Northwestern Ontario Council – Consisting of the Chronicle/Journal and any other workplaces organized by the local in Northwestern Ontario.
- d) The Composite Council – Consisting of Transcontinental LGM Coronet Printing, The United Way of Winnipeg, Lord Selkirk School Division school bus drivers, and workplaces not covered in the above.

**C.** The twenty-one (21) member executive board shall be comprised of:

- i) at least eight (8) members from the Winnipeg Newspaper Council, of which at least two (2) shall be adult newspaper carriers;
- ii) at least one (1) member from the Rural Manitoba Newspaper Council;
- iii) at least one (1) member from the Northwestern Ontario Council.
- iv) at least four (4) members from the Composite Council.

**D.** The duties of Local officers shall be as follows:

#### Section 1 – Local Officers

1. The Local President shall:

- (a) Be responsible for the conduct of all Local business;
- (b) Preside at Local Membership and Local Officers' meetings;
- (c) Prosecute grievances and appeal them to higher levels of the Union when not satisfactorily settled;
- (d) Supervise and be ex officio member of all Local Committees;
- (e) Approve all bills to be paid, and countersign all cheques drawn on the Local treasury; and
- (f) Perform such other additional duties as may be assigned by the Local, the Local Executive Board or required by the policies or Constitution of the Union.

2. The Local 1st Vice-President shall:

- (a) Preside at Local Executive Board meetings;
- (b) Work under the direction of the Local President; and
- (c) Perform such other additional duties as may be assigned by the Local, the Local Executive Board or the Local President.
- (d) The 1<sup>st</sup> Vice-President shall succeed to the presidency in the event of a vacancy in that office. In the event of a vacancy in the office of 1<sup>st</sup> Vice-President, the office shall be filled in the same way as any other vacated executive office, other than the presidency, would be filled.

3. The Local 2nd Vice-President shall:

- (a) Work under the direction of the Local President; and
- (b) Perform such other additional duties as may be assigned by the Local, the Local Executive Board, or the Local President.

4. The Local Secretary-Treasurer shall:

- (a) Be custodian of all assets of the Local;

- (b) Report to each membership meeting on the financial status of the Local;
- (c) Be bonded, as must any other person who handles Local funds or other property in accordance with the Union Constitution or any Provincial or Federal law;
- (d) Cause the payment of all bills approved by the Local President;
- (e) Cause the proper filing of all reports or filings required by Federal, Provincial or Local law;
- (f) Maintain a record of the Local membership;
- (g) Furnish the Unifor National President and Western Region Vice-President with copies of any changes in these bylaws within ten (10) days after such changes are adopted;
- (h) Certify the Local delegates to the National Convention to the Executive Vice-President and Secretary of Unifor in accordance to Article 6 of the Unifor Constitution; and
- (i) Perform such other additional duties as may be assigned by the Local, the Local Executive Board, or the Local President.

5. The Local Assistant Secretary-Treasurer shall:

- (a) Record and maintain the minutes of all meetings of the Local, the Local Executive Board, or Local Officers, and
- (b) Perform such other additional duties as may be assigned by the Local, the Local Executive Board, or the Local President.

## Section 2 – Local Executive Board

A. The duties of the Local Executive Board shall be as follows:

- (a) Be responsible for making decisions and taking action on behalf of the Local membership between Local meetings on all matters concerning the good and welfare of the members;
- (b) Meet as necessary. The Local President shall call a meeting of the Executive Board whenever requested by a majority of the Board members to do so, but not less than once a month;
- (c) Cause an annual budget to be prepared and presented to the membership;
- (d) Be responsible for the operation of strike action procedures as outlined in the Local Constitution; and
- (e) Board members who miss three (3) consecutive executive board meetings, or six in any 12-month period, without just cause, may be removed from the Executive Board by a simple majority vote of the board, subject to the right of the Local to overrule the action of the Executive Board.

B. Actions and decisions of the Executive Board shall be subject to approval by the membership.

C. A majority of the Executive Board shall constitute a quorum.

D. Board members shall receive a per diem of \$35 for attending Local Executive Board meetings.

## Section 3 – Local Chapel Chairperson

A. 1. In each certification under the jurisdiction of this Local, the executive board shall determine the number of chapels to be established. One member in each Chapel shall be elected in May of even numbered years to preside over it whom shall be known in his/her official capacity as Chairperson of the Chapel. If nobody lets their name stand for election as Chapel Chairperson, he/she shall be appointed by the Local President.

2. Large chapels may elect Assistant Chapel Chairpersons at the same time as the Chapel Chairpersons.

3. Each Chapel may adopt such rules for its government as it desires, such rules in no way to conflict with the laws of Unifor or this Local. All Chapel rules must be submitted to and be approved by the executive board before going into effect.

4. Chapels may elect officers, in addition to the Chairperson, whose duties shall be set forth in Chapel rules.

5. The Chapel shall have power to discipline its members for violation of office rules.

6. The Chapel shall have jurisdiction to hear and decide all appeals from decisions of the Chairperson. The Chapel may at its discretion, and without further action, refer the appeal directly to the executive board of the Local.

B. Powers, duties and remuneration of Local Chapel Chairpersons and Assistant Chapel Chairpersons shall be as follows:

1. The Chapel Chairperson shall be the recognized representative of the Local in the Chapel over which he/she presides.

2. Chairpersons of Chapels must submit all monies collected by them each month to the Local Secretary-Treasurer.

3. The Chairperson shall post the call for all meetings and call chapel meetings as required.

4. The Chairperson shall decide all disputes and disagreements arising within the Chapel, regarding Local laws and the collective agreement.

5. The Chairperson shall decide all disagreements or disputes between members of the Local employed in the Chapel.

6. When Chairpersons take action to enforce Local laws or contract provisions, it is mandatory that such action be reported to the Local within twenty-four (24) hours.

7. Assistant Chapel Chairpersons shall perform the duties of Chapel Chairpersons and shall report to the Chapel Chairpersons.

8. Chapel Chairpersons and Assistant Chapel Chairpersons shall be required to attend a minimum of one (1) educational seminar per year to qualify for per diems. This requirement may be waived by the executive board for experienced chapel chairpersons and assistants who may have attended a reasonable number of courses.

9. Chapel Chairperson per diems shall be as follows:

(a) Less than twenty (20) members - \$20 per month.

(b) From twenty (20) members to fifty (50) members - \$35 per month.

(c) More than fifty (50) members - \$50 per month.

10. Where Chapels consist of more than fifty (50) members and an Assistant Chapel Chairperson is elected, a per diem of \$25 per month shall be paid to the assistant. Chapels with more than one hundred (100) members shall be entitled to two (2) Assistant Chapel Chairpersons. Chapels with more than one hundred and fifty (150) members shall be entitled to three (3) Assistant Chapel Chairpersons.

11. A vote on the question of recalling a Local Chapel Chairperson or Steward may be initiated by a petition setting forth the reasons why the recall is sought, and signed by at least 25 percent of the current members working under the jurisdiction of the Chapel Chairperson or Steward. Twenty-five percent of the current members working under the jurisdiction of the Chapel Chairperson or Steward must be present at the recall meeting to establish a quorum. A two-third vote of those present and voting is necessary to recall.



## **ARTICLE XIV – NOMINATION AND ELECTION OF LOCAL OFFICERS AND MEMBERS OF THE LOCAL EXECUTIVE BOARD**

### Section 1 – Nomination Committee

1. A Nominating Committee composed of six (6) members shall be elected for a three-year term at the May meeting of the Local in an election year. At least three (3) members of the committee shall be women.
2. The committee shall prepare a list of nominations for officers and the executive board, providing members with reasonable opportunity to nominate candidates.

### Section 2 – Nominations

- A. 1. The nomination of all Local officers and members of the executive board shall take place at the September meeting of the local.
2. Members not at the September meeting of the Local cannot be put in nomination unless they have signified in writing their willingness to accept nomination. Those named by the Nomination Committee are not required to attend the meeting.
3. After nominations have closed, the Assistant Secretary-Treasurer shall read the list of nominees, and if no corrections or alterations are noted, the list shall be considered final, and no additions shall be permissible.
4. Any nominee for office who wishes to withdraw his/her candidature may do so by notifying the Secretary-Treasurer within four (4) days after nominations close.
5. The Secretary-Treasurer shall have printed and furnish each Chapel a full list of the authenticated nominees, the same to be posted in said Chapel.
6. The Secretary-Treasurer shall have ballots printed bearing the names of all candidates nominated under the heading of the office for which the nominations have been made. On the ballots must be printed, opposite or following each heading, the number of candidates to be elected.

### Section 3 – Elections

- A. Local Officers and Executive Board members shall be elected by a mail-in secret ballot of the membership in the months of October, November and December.
- B. 1. A Local Election Board, composed of six (6) members, shall be appointed by the Executive Board and ratified by the membership at its regular September meeting. This Election Board shall have full charge of the mail-in vote.
2. Only members in good standing shall be allowed to vote.
3. No employee of the union may be nominated for or hold any elective office in the union.
4. All ballots, as they are received, shall be placed in a sealed box.
5. After the mail-in deadline, the Local Election Board shall immediately proceed to count the vote openly, and at the earliest opportunity shall certify the results to the Secretary-Treasurer.
6. To be elected, Local officers must receive a plurality of all votes cast.
7. The sixteen (16) additional members of the Local executive board will be those who receive the greatest number of votes cast subject to the conditions of Article XIII – Section 1,B.
8. Ballots shall be retained in the Local office until a motion that they be destroyed is approved by a meeting of the Local membership.

### Section 4 – Local Election Board

- A. The election of Local Officers and members of the executive board shall be conducted under the supervision of the Election Board.
- B. The Election Board shall also conduct any referenda submitted to the membership.
- C. A member shall not be permitted to serve on the Election Board if he/she is a candidate for any office of the Local.
- D. All questions concerning the conduct and challenges of elections shall be determined by the Election Board, subject to the rights of appeal within the governing body and membership of the Local in accordance with Article 18.B of the Unifor Constitution.

#### Section 5 – General Provisions

- A. The term of office shall be for three (3) years.
- B. The officers shall take office effective January 1.

#### Section 6 – Vacancies

A vacancy in the office of Local President shall be filled by the Local 1<sup>st</sup> Vice-President. The Executive Board may fill vacancies in any other Executive Board position, pending subsequent approval of the general membership.

### **ARTICLE XV – STRIKES**

The calling, conduct and termination of strikes affecting the Local shall be called and terminated only in strict conformance with Article 17 Section B of the Unifor Constitution.

### **ARTICLE XVI – CHARGES, TRIALS AND APPEALS**

All charges, trials and appeals shall be carried out in accordance with Article 18 Section C of the Unifor Constitution.

### **ARTICLE XVII – AMENDMENTS TO LOCAL BYLAWS**

- A. After adoption, these bylaws may be amended by either of the following methods:
  - 1. Majority vote of the members present at a Local meeting, if the proposed amendment has been introduced at a previous membership meeting or has been advertised to the membership by use of the Local newsletter, bulletin boards or mail, postage prepaid, at least seven (7) days in advance of the meeting; or
  - 2. Referendum of the membership. The Local Election Board shall determine the manner in which the referendum is submitted to the membership.
- B. If it is necessary to amend the bylaws in order to increase dues or initiation fees, the amendment must be by secret ballot referendum.

### **ARTICLE XVIII – REFERENDUM OF THE LOCAL**

- A. The Local Election Board shall submit any question to a referendum of the membership when directed to do so by the governing body of the Local or by action of a regular or special membership meeting.
- B. Questions submitted to referendum shall be determined by a majority vote of those voting on the question.
- C. All referenda shall be conducted in a timely and orderly fashion and members shall be given reasonable notice.

### **ARTICLE XIX – FISCAL YEAR AND AUDIT**

- A. The fiscal year of this Local shall be from January 1st of each year to and including December 31st.

B. The financial records of this Local shall be audited by a Certified Public Accountant at the end of each fiscal year. The results of such audit shall be made available for the inspection of any Local member and a copy shall be sent to the National Union office.

C. The Local shall send a financial statement to the National Union on a quarterly basis.

#### **ARTICLE XX – OATH OF OFFICE**

As per Article 24 of the Unifor Constitution, the installation ceremony of Local elected officers and board members shall be performed by an Installing Officer who may be the outgoing Local president or National Representative.

The Installing Officer says:

“Give attention while I read to you the obligation:

“Do you pledge on your honour to perform the duties of your respective offices as required by the Constitution of the Union and to bear true and faithful allegiance to Unifor.

Do you pledge to promote a harassment and discrimination-free environment and work to ensure the human rights of all members are respected?

Do you pledge to support, advance and carry out all official policies of the Union and to work tirelessly to advance and build the membership of our Union?

Do you pledge to deliver all books, papers, and other property of the Union that may be in your possession at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?

Officers respond: “I do.”

The Installing Officer then says:

“Your responsibilities are defined in the Bylaws, Constitution and policies of Unifor and of Local 191.

Should any emergency arise not provided for in these, you are expected to act accordingly to the dictates of common sense, guided by an earnest desire to advance the best interest of the Union. I trust you will all faithfully perform your duties so that you may gain the esteem of your brothers and sisters and the approval of your conscience.

“You will now assume your respective offices.”

#### **ARTICLE XXI – ADOPTION**

These bylaws shall be adopted upon the approval of a majority of the members voting upon their adoption in the membership meeting called for that purpose or by referendum of the membership.

These Bylaws Adopted \_\_\_\_\_

Revised Bylaws Adopted Nov. 28, 2004

Revised Bylaws Adopted Jan. 27, 2008

Revised Bylaws Adopted Nov. 2, 2008

Revised Bylaws Adopted Sept. 30, 2012

Revised Bylaws Adopted Sept. 28, 2014

Revised Bylaws Adopted Feb. 22, 2015